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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 10

QUESTION OF HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

Canada, Japan, Norway*: draft decision

The right to a fair trial

The Commission on Human Rights, noting resolution 1993/26 of 25 August 1993 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, expresses its appreciation to the Special Rapporteurs, Mr. Stanislav Chernichenko and Mr. William Treat, for their work on the study entitled "The right to a fair trial: current recognition and measures necessary for its strengthening"; endorses the request of the Sub-Commission to the Special Rapporteurs to continue their study, taking into account, inter alia, the comments made in the discussion of their preparatory,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

preliminary and progress reports and to submit to the Sub-Commission, at its forty-sixth session, a final report which should include a set of conclusions and recommendations; decides to consider at its fifty-first session the final report of the Special Rapporteurs including, if appropriate, the desirability of a third optional protocol to the International Covenant on Civil and Political Rights, aimed at guaranteeing under all circumstances the right to a fair trial and a remedy, taking into account the consideration of the Sub-Commission thereon at its forty-sixth session; and recommends the following draft decision to the Economic and Social Council for adoption:

"The Economic and Social Council recalling its decision 1993/291 of 20 July 1993, approves the endorsement by the Commission on Human Rights, contained in its decision 1994/... of ... March 1994, of the request of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to Mr. Stanislav Chernichenko and Mr. William Treat to submit their final report on the right to a fair trial, as described in Sub-Commission resolution 1993/26 of 25 August 1993, and requests the Secretary-General to provide the Special Rapporteurs with all the assistance necessary to enable them to carry out their work successfully."